

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CARLY KALBFLEISCH,

Case No.: 2:24-cv-02137-JAD-BNW

Plaintiff,

ORDER

V.

FMWCC, et al.,

Defendants.

On November 14, 2024, pro se plaintiff Carly Kalbfleisch, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. ECF No. 1-1. But Kalbfleisch neither paid the \$405 filing fee nor applied to proceed *in forma pauperis*, one of which is necessary to commence a civil action.

13 This Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a).
14 The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55
15 administrative fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a
16 civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. For an
17 inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following
18 documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**,
19 which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on
20 page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that
21 is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s**
22 **prison or jail trust fund account statement for the previous six-month period**. *See* 28 U.S.C.
23 § 1915(a)(1)–(2); Nev. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her
24 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. *See* 28
25 U.S.C. § 1915(b).

26 It is therefore ordered that Plaintiff has **until January 31, 2025**, to either pay the full \$405
27 filing fee or file a complete application to proceed *in forma pauperis* with all three required
28 documents: (1) a completed application with the inmate's two signatures on page 3, (2) a

1 completed financial certificate that is signed both by the inmate and the prison or jail official, and
2 (3) a copy of the inmate's trust fund account statement for the previous six-month period.

3 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if she
4 fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the
5 case with the Court, under a new case number, when Plaintiff can file a complete application to
6 proceed *in forma pauperis* or pay the required filing fee.

7 The Clerk of the Court is directed to send plaintiff Carly Kalbfleisch the approved form
8 application to proceed *in forma pauperis* for an inmate and instructions for the same, and to retain
9 the complaint (ECF No. 1-1) but not file it currently.

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11 DATED: December 2, 2024

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14 UNITED STATES MAGISTRATE JUDGE

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